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16 IN THE UNITED STATES DISTRICT COURT  
17 FOR THE NORTHERN DISTRICT OF CALIFORNIA

18 UNITED STATES OF AMERICA, ) No. CR 09-0196 MMC  
19 Plaintiff, ) No. CR 09-0123 MMC  
20 v. )  
21 JUAN HERNANDEZ DE LA PAZ, ) **STIPULATION AND [PROPOSED] ORDER EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT ; CONTINUING STATUS CONFERENCE; CONTINUING SUPERVISED RELEASE HEARING**  
22 Defendant. )  
23

24 **STIPULATION**

25 The parties agree to continue the status hearing in the above-captioned matter from May  
26 13, 2009 until June 3, 2009 at 2:30 p.m. The reason for the continuance is that additional time is  
required to complete the psychiatric evaluation.

27 For the foregoing reasons, the parties agree to the stated continuance and request that time  
28 be excluded under the Speedy Trial Act based upon the need for effective preparation and  
29 continuity of counsel. Accordingly, the parties agree to and request that the status hearing be  
30 continued until June 3, 2009, at 2:30 p.m. and time should be excluded from the Speedy Trial  
31 Act calculation until that date.

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1 IT IS SO STIPULATED.  
2

3 Dated: May 11, 2009

/s/  
RONALD C. TYLER  
Assistant Federal Public Defender  
Counsel for Juan Hernandez de la Paz

6 Dated: May 11, 2009

/s/  
JEANE HAMILTON  
Assistant United States Attorney

9 **[PROPOSED] ORDER**

10 The Court finds as follows:

11 The ends of justice are served by granting the requested continuance, given that failure to  
12 do so would deny counsel for the defendant the reasonable time necessary for effective  
13 preparation, taking into account the exercise of due diligence; and would unreasonably deny the  
14 defendant continuity of counsel.

15 The aforementioned ends of justice outweigh the best interest of the public and the  
16 defendant in a speedy trial.

10,

17 Accordingly, this matter is continued until June 3, 2009 at 2:30 p.m. Pursuant to the  
18 Speedy Trial Act Title 18 United States Code §§ 3161(h)(1)(A) and 3161(h)(1)(B)(iv), the  
19 period from May 13, 2009 until June 3, 2009 is excluded in computing the time within which the  
20 trial of this matter must commence.

21 IT IS SO ORDERED.

24 Dated: May 12, 2009

  
HONORABLE MAXINE M. CHESNEY  
UNITED STATES DISTRICT COURT JUDGE